

the median income for women is down by \$733 since the President took office.

It would be nice if this legislation that is being proposed by the Democratic majority provided women with real economic help, but it is far more likely to line the pockets of trial lawyers. In fact, this election-year ploy would actually hurt women by increasing Federal regulations that would cut flexibility in the workforce for working moms and end merit pay to reward quality work.

If Democrats were really serious about helping women, they would work with us on bills to create jobs and to expand workplace opportunities for women as well as for men—bills such as Senator RUBIO's legislation to amend the National Labor Relations Act to allow employers to give merit-based pay increases to good workers; or Senator COLLINS' bill to repeal ObamaCare's 30-hour workweek rule, which is reducing hours and lowering wages for many workers, particularly women, who make up 63 percent of those affected; or the bill proposed by Senator MIKE LEE, which would help employers balance work and family life by allowing private sector employers to give workers the choice of monetary compensation or comp time for the overtime hours that they work; or Senator MCCONNELL and Senator AYOTTE's bill, which would give hourly workers access to flexible work arrangements like comp time off and flexible credit hours; or my bill combining several of my colleagues' proposals to stimulate job creation and increase hours and wages through energy development, job training, and regulatory relief. Then, of course, there is Senator FISCHER's proposal to give women the tools and knowledge they need to fight discrimination at work.

Many of these proposals have passed the House of Representatives and are awaiting action by the Senate. These bills would create new jobs, open new opportunities, and help reverse the economic decline that women have experienced over the past 5 years. But Democrats don't seem to be interested in providing economic relief to women. They are interested in elections and scoring political points.

Democrats can go on campaigning for the rest of the year if they want. They can twist the legislative process for their own political ends and ignore the economic pain they have caused women and men. Meanwhile, the middle class in this country continues to fall further and further behind.

Republicans in the Senate will continue to propose legislation to create jobs and opportunities for Americans and help make up the ground that the American people have lost in the Obama economy. Democrats can still change their minds and join us, and I hope they will because the situation has not gotten any better. We still

have chronic high unemployment, lower take-home pay, and lower household income.

We have almost 4 million people who have been unemployed for more than 6 months. The labor participation rate—the number of people who are actually in the labor workforce today—is at the lowest level we have seen in 35 years, meaning there are millions of Americans who left the workforce. Those statistics are crying out for solutions that will do something about the need for jobs in our economy, that will do something about growing and expanding our economy, so those people who are unemployed can find the work they need to improve their standard of living and that of their families as well.

So I hope all of these issues I have mentioned—these are all amendments that have been filed by my colleagues on the Republican side of the aisle. So far there is no indication, no suggestion that any of these amendments are going to get an opportunity to be offered, to be debated, and to be voted on—amendments that actually would improve the outlook for not only men in this country but women as well, by growing the economy, expanding the economy, creating the types of good-paying jobs that will create opportunities for advancement for hard-working Americans.

If the Senate is going to continue to be a place where debate and amendments are shut down, blocked by the other side simply so they can have show votes designed to appeal to a political audience as we head into the midterm elections; if we aren't going to be doing anything to solve the real-world problems millions of Americans who are unemployed have, or millions of Americans who have been hurt by this economy, and millions of Americans who have seen their standard of living and their quality of life eroded by bad policies coming out of Washington, DC, that make it more difficult and more expensive to create jobs—that is what we ought to be focused on. Republicans come to the floor, as we did last week when we were debating unemployment insurance, with amendments designed specifically at growing the economy and creating jobs. At every turn we have been blocked from offering those amendments and, in turn, we are talking about nothing more than political rhetoric in an election year that does nothing to address the real problems of the American people. They deserve better. We can do better. I hope we will. I hope the Democrats will change their minds and join us and allow us to have that debate, to have those votes, and allow us to do something meaningful for middle-class families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### EQUAL PAY DAY

Mr. HARKIN. Madam President, today is Equal Pay Day. I mentioned that to someone earlier and they said: What does that mean? What that means is an American woman working full time in America today—I am talking about an average American woman working full time, year-round—had to work all last year and up to today of this year to earn what the average male made last year up to December 31. That is what Equal Pay Day is. Think about that. A man gets paid up to December 31, and a woman has to work all that year and up to today to get the same pay.

It is shocking that in 2014 that is still happening in America—shocking—because we passed the Equal Pay Act in 1963. In 1963, a woman made about 60 cents on the dollar for what a man made. Today, it is 77 cents, so I guess we can say we have made some headway. So 1963, 1973, 1983—in 40 years, we have gone from 60 cents to 77 cents.

What we found out, through our committee hearings of the committee I am privileged to chair, the Committee on Health, Education, Labor, and Pensions, is that a lot of employers in this country are not abiding by some of the provisions of the Equal Pay Act. I compliment Senator MIKULSKI, who is a member of our committee as well as the Chair of the full Appropriations Committee, for her leadership in bringing this bill, the Paycheck Fairness Act, to the Senate.

When we passed it in 1963, 25 million female workers, as I said, earned about 60 cents on the dollar. Now it is 77 cents. Again, the deficit and what it means for a lifetime of earnings is startling. Over the course of a 40-year career, women, on average, earn more than \$450,000 less than men. And get this: Women with a college degree, or more, face an even wider gap of more than \$700,000 over a lifetime compared with men with the same higher education. So, again, the consequences are enormous, impacting not just women but their families as well, and not just impacting women during their working lives, but keep this in mind: When a woman is making that much less, then a woman is getting that much less in her retirement, in her Social Security, or maybe her 401(k), or a defined benefit, whatever it might be. So women get whacked twice during their working life and then when they retire because they have made substantially less than men.

Again, I congratulate Senator MIKULSKI for bringing this bill forward and for her indefatigable work on this issue. It is time to pass the Paycheck Fairness Act. It is simple, common-sense legislation to make sure we have procedures and processes that are in place, to make sure the Equal Pay Act, passed in 1963, has some teeth, so employers can't just skirt around it anymore, and so there will be avenues for

women to take to make sure they are not discriminated against in terms of pay.

For example, right now it can be a violation of company policy if a woman wants to talk to another person about what their salary is. Some companies say employees can't do that. This bill says, yes, employees can do that. Employees can talk to someone else. They don't have to tell—we don't force anybody to tell what their salary is—but an employee can make inquiries and can discuss it with other fellow employees, and an employer cannot retaliate against an employee for doing that. That is a huge step forward, by the way: a little bit of transparency, a little bit of knowledge that a woman can have to understand whether she is being discriminated against in her employment.

Of course, we have a good deal of anecdotal evidence and many examples of employers retaliating against women for discussing salary information. So this bill is long overdue and we need to pass it.

We can't just stop there on this paycheck fairness bill. We have to pass it and then we have to do a few other things. We have to tackle the more subtle discrimination that occurs when we systematically undervalue the work traditionally done by women. The fact is millions of female-dominated jobs—jobs that are equivalent in skill, effort, responsibility, and working conditions to similar jobs dominated by men—pay significantly less than male equivalent-type jobs. For example, why is a housekeeper worth less than a janitor? Think about it: Eighty-four percent of the maids such as those who clean our rooms in hotels—are female; 75 percent of janitors are male. While the jobs are equivalent in terms of skill, effort, responsibility, and working conditions, the median weekly earnings for a maid are \$399. For a janitor, it is \$484.

Truckdrivers—a job that is 96-percent male—have median weekly earnings of \$730. In contrast, a childcare worker—a job that is 93-percent female—has median weekly earnings of \$390. Why do we value someone who moves products more than we value someone who looks after the safety and well-being of our children? I am not saying that truckdrivers are overpaid; I am just saying that jobs we consider “women's work” are often underpaid, even though they are equivalent in skills, effort, responsibility, and working conditions. Quite frankly, some of the jobs women do, such as nursing or home health aides, require a lot more physical effort than being a truckdriver. Maybe in the old days truckdrivers had to be strong to muscle those trucks around. Now everybody has power steering and power brakes and everything else. A person doesn't have to be some big, heavy-weight giant to drive trucks anymore. But to

be a nursing aide, if you are rolling people who weigh over 250 pounds and doing other things, that can take quite a bit of effort. So why are nursing and home health aides paid so much less than truckdrivers?

That is why in every Congress since 1996 I have introduced the Fair Pay Act, which would require employers to provide equal pay for equivalent jobs. My counterpart in the House is Delegate ELEANOR HOLMES NORTON, and together we have introduced it in every Congress since 1996. It requires employers to provide equal pay for jobs that are equivalent in skills, effort, responsibility, and working conditions, but which are dominated by employees of a different gender, race, or national origin.

People may say maybe that is a stretch. Well, in 1983, the legislature of my State of Iowa, working with a Republican Governor, passed a bill stipulating that the State of Iowa could not discriminate in compensation between predominantly male and female jobs. They had to pay equivalent wages. So they hired Arthur Young & Company and they evaluated 800 job classifications in State government and, finally, in April of 1984, determined that 10,751 employees should be given a pay increase. Since 1984 in Iowa we have had that equivalency.

In Minnesota, our neighbor to the north and the neighbor of the Presiding Officer to the east, they went even a step further. Minnesota at that time passed a bill providing for equivalent pay not only in State jobs but clear down to the local level. That was in Minnesota. So it can be done. The women in this country are currently being paid less not because of their skills, not because of their education, working conditions, or responsibility, but simply because they are in what we call female-dominated jobs. This bill would make sure they receive their real worth. It will make a huge difference for them and their families who rely on their wages.

What my bill would do basically is require employers to publicly disclose their job categories and their pay scales. They wouldn't have to publish what every employee is making; they would have to say here are our job classifications and here are the pay scales in those job classifications. So it would give women information about what their male colleagues are earning or anyone who is in that pay scale, so they can negotiate a better deal for themselves in the workplace. Right now, women who believe they are a victim of pay discrimination must file a lawsuit and endure a drawn-out legal discovery process to find out whether they make less than the man working beside them, but with statistics readily available, this could be avoided. The number of lawsuits would go down if employees could see upfront whether they are being treated fairly.

Several years ago our committee had Lilly Ledbetter come and testify before our committee. We had provided her with a copy of the Fair Pay Act that I have been introducing since 1996, and she took a look at it and its description. I asked her, if the Fair Pay Act had been law when she was hired, would it have obviated her wage discrimination case. She said with the information about pay scales the bill provides, she would have known from the beginning she was a victim of discrimination and could have tried to address the problem sooner before it caused a lifelong drop in her earnings and before she had to go all the way to the Supreme Court to make things right.

So, again, it is time to get done and put some teeth in it, but it is time to take the next step, because the biggest gap right now between what women make and what men make—among the various known reasons for the gap, like education, race, union status, and work experience—is occupation; that is, the number of women who are in what we have traditionally known as women's jobs—housekeepers, maids, child care workers, nurse assistants, and so on. It is time to take the step that my State and Minnesota—and there are other States; I just mentioned those two because I am familiar with them—have taken to address this problem of equivalency.

The next thing we need to do to make sure Equal Pay Day is not today but is December 31, like when men get paid for a full year, is to raise the minimum wage. Hopefully, we will be voting on that soon to raise the minimum wage from \$7.25 to \$10.10 an hour.

Again, the majority of low-wage workers are women because of the trends I just mentioned. Jobs primarily held by women are undervalued and underpaid and most of the low-wage workers are women. So again we have to raise that, and we need to raise tipped wages.

Tipped wages right now are \$2.13 an hour. It has not been changed since 1991. Who are most of the tipped workers? Women, and many of them are providing income for their families, for their children. I said this the other day to a group and they were astounded. They thought I must be wrong about it, but I am not wrong. Do you know how someone gets classified as a tipped worker? A lot of people do not know this. How does someone get classified as a tipped worker? Under the law, if their employer says they make more than \$30 a month in tips, they can be classified as a tipped worker. Think about that, \$30 a month.

Let's say if someone works 5 days a week and they are working 20 days a month, that is \$1.50 a day. If they get \$1.50 a day in tips, they can be classified as a tipped worker and they can pay them \$2.13 an hour—unconscionable.

It has not been raised since 1991. Our minimum wage bill, which we hope to have on the floor shortly, would raise that tipped wage over 6 years from its present level to 70 percent of the minimum wage, and then it is indexed for the future.

So there are three things we need to do: pass the Paycheck Fairness Act championed by Senator MIKULSKI, address and pass the Fair Pay Act, and raise the minimum wage. If we do those three things, Equal Pay Day will not be today, it will be December 31 for everybody.

#### 150TH ANNIVERSARY OF GALLAUDET UNIVERSITY

Mr. HARKIN. Madam President, I see the time has come to recess for the caucuses, but I just wish to say that today is another important day. Today is the 150th anniversary of the date that Abraham Lincoln signed the law authorizing the institution we now know as Gallaudet University in Washington, DC. That was 150 years ago today. What began on April 8, 1864, as a school with just eight students has flourished into the world's first and only institution of higher education dedicated to deaf and hard-of-hearing students, renowned internationally for its outstanding academic programs and also for its leading research into the history, language, and culture of deaf people.

I take pride in the fact that it was Senator James W. Grimes of Iowa, then-chair of the Committee on the District of Columbia, who initiated that legislation allowing the school to confer degrees. Dr. T. Alan Hurwitz, who is now the current distinguished president of Gallaudet, was born and raised in Sioux City, IA, not too far from the Presiding Officer's State of North Dakota. In fact, Dr. Hurwitz's father and my brother were classmates at the Iowa School for the Deaf. We are proud of the many Iowa students, including a recent intern in my office, Joseph Lewis, who are graduates of Gallaudet.

It is a wonderful school. If you have never been there, you ought to go and take a look at it. They do fantastic work at Gallaudet, attracting people from all around the globe to go there. In 1894 it was named after Thomas Hopkins Gallaudet, and then in 1986 it was conferred university status by the Congress. Again, 150 years ago today, on April 8, 1864, Abraham Lincoln signed it into law.

In 1864, the school was known as the Columbia Institution for the Instruction of the Deaf and Dumb and Blind. It was inspired by the work of Thomas Hopkins Gallaudet, who had traveled to Paris to study the successful work of French educators who pioneered the use of a manual communication method of instructing the deaf—in other

words, sign language. In 1894, the name of the institution was changed to Gallaudet College in honor of Thomas Hopkins Gallaudet. In 1986, by act of Congress, the college was granted university status.

My brother Frank was deaf from an early age. During his childhood, in the 1940s and 1950s, most Americans had very backward, ignorant attitudes toward deaf people. It pained me to witness the brazen discrimination and prejudice that he faced on a daily basis and I promised that if I ever got into a position of power, I would change things to prevent that kind of discrimination in the future.

As it turned out, I did rise to a position of power. I was determined to make good on my promise to pass legislation to end discrimination against people with disabilities, and an unexpected event gave a huge impetus to my legislative ambition.

In 1988, Gallaudet University was hiring a new president. At that time, the school had never had a deaf president. There were three candidates: one was deaf and two were hearing. The Board of Visitors selected a hearing president.

To the students at Gallaudet, who believed passionately that the time had come for a deaf president, this was unacceptable. They rose up in a movement that came to be known as Deaf President Now. They organized protests. They boycotted classes. Some 2,000 Gallaudet students marched from their campus to the U.S. Capitol Building. They demanded a president at Gallaudet who could relate to them in a way that no hearing person could.

I had the privilege of speaking to them. I told them, "You are my heroes." They are still my heroes because they kept up their protests until they won. Gallaudet got its first deaf president, I. King Jordan.

But that is not all those students won. The protests by the students at Gallaudet struck a chord with other people with disabilities all across America. Those students were like a spark that ignited a brushfire.

They rose up and said: Enough. No more second-class citizenship. No more discrimination. And other people with disabilities took up the same rallying cry.

As the chief Senate sponsor of the Americans with Disabilities Act, ADA, there is no question in my mind that the students' successful protests at Gallaudet were one of the key reasons why we were able to pass the ADA 2 years later.

Today, Gallaudet University is a diverse, bilingual university dedicated to the intellectual and professional advancement of deaf and hard-of-hearing individuals through American Sign Language and English. I have always been an admirer and supporter of Gallaudet. I respect it as a place that

opens doors and creates opportunity. At Gallaudet, the focus is on ability, not disability, and, as with all schools, sometimes it is on extraordinary ability, such as Adham Talaat, the academic all-American defensive end who helped to lead the Gallaudet football team to a 9 and 1 record this past season or faculty member Dr. Laura-Ann Pettito and her Visual Language and Visual Learning Center, where she and her graduate students map the brain to better understand how we decode auditory and visual language or 2011 graduate James Caverly, who starred in the play "Tribes" about a hearing family with a deaf son.

Gallaudet aims not only to educate but also to empower, and this is an incredibly important gift to give to the men and women who attend Gallaudet. I join with my colleagues in the Senate in saluting this remarkable institution on its 150th anniversary.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### PAYCHECK FAIRNESS ACT— MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the time until 3:15 p.m. will be controlled by the majority.

The Senator from Maryland.

Ms. MIKULSKI. Madam President, I rise today to speak on paycheck fairness, the bill we will be voting on tomorrow in the Senate. During the next hour 11 Democratic women will be coming to the floor to speak. I am not going to introduce each one. We want to get right to the issue. Rather than talking flowery talk about each other, we want to talk about the need for paycheck fairness.

I ask unanimous consent that each Senator be permitted to speak for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. I am the leadoff speaker. I want to be very clear on why we are on the Senate floor. We believe women need a fair shot to get equal pay for equal work. We want the same pay for the same job. We want it in our lawbooks, and we want it in our checkbooks. We want to finish the job we began with Lilly Ledbetter 5 years ago.